IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11282 of 2000

Between:

Dr. D. Venkataramaiah, M.S.D.O., S/o. Ramamurthy
Medical Practitioner, Sri Venkata Ramana Eye Hospital

R/o 12-25/101/A, Kothapet, Guntur-1.

..... PETITIONER

AND

1 Union of India, Rep. by its Secretary,

Ministry of Food and Consumer Affairs,
New Delhi.

2 District Consumer Disputes Redressal Forum,
Guntur.

3 Smt. Rafiunnisa W/o. Late L.A. Baigh
Door No. 21-16-15, Behind Milk Hospital, Lalapet, Guntur.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declaring Sec. 27 of the Consumer Protection Act, 1986, as arbitrary, unreasonable and violative of Articles 14 and 19(1) (g) of the Constitution of India, and consequently declare the proceedings in P.P.No.1/2000 in O.P.No.242/96 on the file of District Forum, Guntur as void, abinitio, null and void and nonest in the eye of law: and pass such other or further orders or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR. E.V.S.S. ACHARYULU

Counsel for Respondent No.1: MR.A. RAJASHEKAR REDDY (SC FOR CG)

Counsel for Respondent No.2: G.P. for Civil Supplies.

The Court made the following :

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ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V. Ratnam***

v. Union of India & Others.

Following the decision of the Full Bench, this writ petition is required to be dismissed and the same shall accordingly stand dismissed without any order as to costs.

However, the petitioner shall have the advantage of the observations made in the judgment and the remedy to prefer appeal against the decision of the District Forum is left open.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

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K.C. BHANU, J

PV

To

1 The Secretary, Union of India,
Ministry of Consumer Forums, Ministry of Civil Supplies,

Government of India, New Delhi.

2. The Chairman, Consumer Disputes Redressal Forum,
Guntur.

3. Two C.Cs. to G.P. for Civil Supplies, High Court of A.P.,

Hyderabad.

4. Two C.D. copies.